

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,)	CR 07-13-BU-DWM-01
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
MARIBEL CASTELLANOS,)	
)	
Defendant.)	
_____)	

United States Magistrate Judge Jeremiah C. Lynch entered Findings and Recommendation in this matter on August 16, 2007. Neither party objected and therefore they are not entitled to de novo review of the record. 28 U.S.C. § 636(b)(1); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." United States v. Syrax, 235 F.3d 422, 427 (9th Cir. 2000).

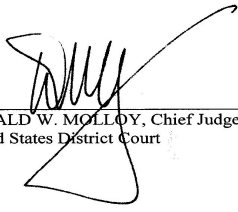
Judge Lynch recommended this Court accept Maribel

Castellanos' guilty plea after Castellanos appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered his plea of guilty to the charges of knowingly transferring false identification documents in violation of 18 U.S.C. § 1028(a)(2), aggravated identity theft in violation of 18 U.S.C. § 1028A(a)(1), and sale of social security cards in violation of 42 U.S.C. § 408(a)(7)(C).

I find no clear error in Judge Lynch's Findings and Recommendation (dkt#27) and I adopt them in full.

Accordingly, IT IS HEREBY ORDERED that Defendant's motion to change plea (dkt#19) is GRANTED.

DATED this 11th day of October, 2007.



DONALD W. MOLLOY, Chief Judge
United States District Court